



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

October 9, 2020

**BY ECF**

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *United States v. Stephen M. Calk*, 19 Cr. 366 (LGS)

Dear Judge Schofield:

The Government respectfully writes to provide an update on the Government's productions of additional discovery.

In the Government's letter dated August 7, 2020 (Dkt. 96), the Government noted that it had recently discovered certain Special Counsel's Office ("SCO") documents, and set forth its plan to review and produce them, and to determine the extent to which they were duplicative of discovery that had already been produced. The Government then updated the Court on September 9, 2020 (Dkt. 100), describing the productions made to date and the Government's ongoing efforts to review materials in its possession for non-duplicative material (the "Ongoing Review Materials"; *see id.* at 1); and to obtain certain materials not already in the Government's possession (the "Materials to be Obtained" *see id.*). In particular, the Government advised that it expected to be able to complete its manual review and production of the Ongoing Review Materials and the Materials to be Obtained within 30 days, but that the process of loading a broader universe of material into a database for automated deduplication might not be complete within that timeframe.

Since the Government's September 9 letter, the Government has in fact obtained all of the Materials to be Obtained and completed its manual review of the Materials to be Obtained and the Ongoing Review Materials. As a result of this manual review, the Government produced, on September 23, 2020, several additional jail calls involving Paul Manafort the Government recently obtained, several statements of Manafort, and an operable copy of the taint-reviewed extraction of an iPhone used by Jeffrey Yohai.<sup>1</sup> Additionally, on October 8, 2020, the Government produced approximately 138,000 pages of materials from the Ongoing Review

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<sup>1</sup> As described in the Government's August 7 letter, the Government's search for an operable copy of this extraction led it to discover certain previously unreviewed SCO documents and launch the review process detailed in the Government's letters.

Materials and Materials to be Obtained, mostly drawn from the Special Counsel's Office's productions to Manafort and from a working folder used by SCO paralegals to prepare discovery productions.<sup>2</sup> Included in these documents are approximately 41,000 pages the Government recently obtained that the Government believes are highly likely to be largely or completely duplicative of documents the Government produced in October 2019. The Government has specifically identified these documents within the broader range of materials recently produced for the defense and its reasons for believing they are likely duplicative.

In addition to this manual review, which is now completed, the Government is still in the process of loading materials into a database in order to perform an automated deduplication process. While this process is not complete, as noted in the Government's September 9 letter, the Government does not expect this automated deduplication process to result in the production of any significant volume of new material (and, to the contrary, believes it may result in confirmation that some of the material produced after the manual review is in fact previously produced material). The Government intends to advise the defense and the Court when this automated process is complete, which the Government presently expects to be within 30 days.

Respectfully submitted,

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cc: Counsel of Record (via ECF)

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<sup>2</sup> Also included in the Government's October 8 production is a reproduction of an electronic device extraction previously produced in October 2019 in order to address a technical issue the defense recently raised with us.